

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

AMADOR COUNTY UNIFIED SCHOOL  
DISTRICT AND AMADOR COUNTY  
OFFICE OF EDUCATION.

OAH CASE NO. 2010091057

ORDER GRANTING REQUEST FOR  
CONTINUANCE

On October 28, 2010, the Amador County Unified School District (District) and Amador County Office of Education (ACOE) filed a request to continue the dates in this matter based upon the District's and ACOE's legal counsel's scheduling conflicts with other hearings and witness unavailability. On November 2, 2010, Student filed an opposition based upon the District's and ACOE's ability to retain other legal counsel. The District and ACOE filed a reply on November 2, 2010. The matter is now set for hearing on November 18, 2010.

A due process hearing must be conducted and a decision rendered within 45 days of receipt of the due process notice unless an extension is granted. (34 C.F.R. § 300.515(a); Ed. Code, §§ 56502, subd. (f), 56505, subd. (f)(3).) Speedy resolution of the due process hearing is mandated by law and continuance of the hearing may be granted only upon a showing of good cause. (Ed. Code, § 56505, subd. (f)(3).) In ruling upon a motion for continuance, the Office of Administrative Hearings (OAH) is guided by the provisions found within the Administrative Procedure Act and the California Rules of Court that concern motions to continue. (Cal. Code Regs., tit. 1, § 1020; Cal. Rules of Court, 3.1332 .) Generally, continuances of matters are disfavored. (Cal. Rules of Court, 3.1332(c).)

OAH has reviewed the request for good cause and the request is:

☒ Granted. The District and ACOE established good cause due to the scheduling conflicts with other hearings and witness availability because OAH unilaterally set the initial hearing date without consulting the District, ACOE and Student and their legal counsel. All dates are vacated. This matter will be set as follows:

Prehearing Conference:	January 10, 2011 at 10:00 AM
Due Process Hearing:	January 18-20, 2011 at 9:30 AM

IT IS SO ORDERED.

Dated: November 3, 2010

/s/

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PETER PAUL CASTILLO  
Administrative Law Judge  
Office of Administrative Hearings

